

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SWIMC, INC.,)
)
)
Plaintiff,)
)
v.) Civ. No. 08-84-SLR
)
HY-TECH THERMAL SOLUTIONS LLC)
and HY-TECH DISTRIBUTORS INC.,)
)
Defendants.)

**STIPULATION FOR EXTENSION OF TIME TO CONDUCT TELEPHONIC
SCHEDULING CONFERENCE WITH THE COURT**

Plaintiff, SWIMC, Inc., and Defendants, Hy-Tech Thermal Solutions LLC and Hy-Tech Distributors, Inc., by and through their undersigned counsel, hereby request that the Court approve this stipulation to extend the time of the telephonic scheduling conference currently scheduled for Monday, August 18, 2008 at 9:00 a.m. for 30 days or at the Court's convenience, in order that the parties may continue settlement discussions with regard to the above matter. In support of this stipulation, the parties state as follows:

Whereas, Plaintiff initiated this action on February 11, 2008 by filing a complaint against the Defendants [D.I. 1];

Whereas, on July 9, 2008, Defendants filed their answer to Plaintiff's complaint for trademark infringement, false designation of origin, and unfair competition [D.I. 13];

Whereas, on July 17, 2008, the Court entered an Order for scheduling conference to be held Monday, August 18, 2008 at 9:00 a.m. [D.I. 14];

Whereas, the parties continue to discuss an amicable resolution of this dispute and seek a continuance of the telephonic scheduling conference in order to continue to discuss the possibility of settlement;

Whereas, the parties seek that the telephonic scheduling conference be continued 30 days, or at the convenience of the Court, until _____, 2008 at _____.

/s/ Kevin J. Mangan

Kevin J. Mangan (#3810)
Womble Carlyle Sandridge & Rice, PLLC
222 Delaware Avenue, Suite 1501
Wilmington, DE 19801
(302) 252-4361
Attorney for Plaintiff

/s/ Sean T. O'Kelly

Sean T. O'Kelly
Cross & Simon, LLC
913 North Market Street, 11th Floor
P.O. Box 1380
Wilmington, Delaware 19801
Attorney for Defendants

SO ORDERED, this ___ day of _____, 2008

United States District Judge